

INTRODUCED _____
PUBLIC HEARING _____
COUNCIL ACTION _____
EXEC. ACTION _____
EFFECTIVE DATE _____

County Council of Howard County, Maryland

2009 Legislative Session

Legislative Day No. _11_

Bill No. 48-2009

Introduced by: Chairperson Sigaty

AN ACT removing certain requirements for certain members of certain boards and commissions; and generally relating to financial disclosure requirements for members of boards and commissions.

Introduced and read first time _____, 2009. Ordered posted and hearing scheduled.

By order _____
Stephen M. LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2009.

By order _____
Stephen M. LeGendre, Administrator

This Bill was read the third time on _____, 2009 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Stephen M. LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this __ day of _____, 2009 at __ a.m./p.m.

By order _____
Stephen M. LeGendre, Administrator

Approved by the County Executive _____, 2009.

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, that
2 *subsection (a) of Section 22.205 “Financial Disclosure” of Subtitle 2 “Public Ethics” of*
3 *Title 22 “General Provisions, Penalties and Rules of Interpretation” of Howard County*
4 *Code is amended to read as follows:*

5
6 **Title 22. General Provisions, Penalties and Rules of Interpretation.**

7 **Subtitle 2. Public Ethics**

8
9 **Sec. 22.205. Financial Disclosure**

10 (a) *Persons Required to File Statements of Financial Interests:* The following persons
11 are required to file statements of financial interests:

12 (1) All persons holding and candidates for the following public offices in the
13 county:

14 (i) County Executive;

15 (ii) County Council members;

16 (2) All persons holding or appointed to the following positions:

17 (i) All executive exempt positions as listed in section 1.306 "Executive
18 exempt" of the Howard County Code;

19 (ii) All employees authorized to draft specifications for, negotiate or
20 execute a contract which commits the county or any of its boards, agencies
21 or departments to expend in excess of two thousand five hundred dollars
22 (\$2,500.00); and

23 (iii) All employees in a managerial or policy-making positions as
24 determined by the Ethics Commission upon recommendation of their
25 department or agency head. In making such a recommendation, the
26 department or agency head shall consider such factors as the employee's
27 responsibility for decision making and policy recommendation in the areas
28 of contracting, procurement, administration and/or monitoring of grants
29 and subsidies, planning or zoning, inspecting, licensing, regulating,
30 auditing and budgeting; and

1 (3) ~~EXCEPT MEMBERS APPOINTED AS THE HIGH SCHOOL STUDENT MEMBER, [[All]]~~

2 ALL members of the following boards and commissions:

- 3 (i) Board of Appeals;
- 4 (ii) Planning Board;
- 5 (iii) Recreation and Parks Board;
- 6 (iv) Public Works Board;
- 7 (v) Ethics Commission;
- 8 (vi) Housing and Community Development Board;
- 9 (vii) Agricultural Land Preservation Advisory Board;
- 10 (viii) Equal Business Opportunity Commission;
- 11 (ix) Historic District Commission;
- 12 (x) Board of Library Trustees;
- 13 (xi) Howard County Housing Commission;
- 14 (xii) Economic Development Authority Board;
- 15 (xiii) Howard County Retirement Plan Oversight Commission;
- 16 (xiv) Howard County Mental Health Authority Board;
- 17 (xv) Howard County Alcoholic Beverage Hearing Board;
- 18 (xvi) Howard County Revenue Authority Board; and
- 19 (xvii) Design Advisory Panel.
- 20

21 (B) HIGH SCHOOL MEMBERS OF BOARDS AND COMMISSIONS.

22 (1) A HIGH SCHOOL STUDENT MEMBER OF A BOARD OR COMMISSION LISTED IN

23 SUBSECTION (A)(3) OF THIS SECTION SHALL FILE A STATEMENT OF FINANCIAL

24 INTEREST ON A FORM THAT THE ETHICS COMMISSION PROVIDES.

25 (2) THE HIGH SCHOOL STUDENT MEMBER STATEMENT SHALL ONLY INCLUDE THE

26 FOLLOWING INFORMATION:

27 (i) A SCHEDULE OF SOURCES OF EARNED INCOME OF THE HIGH SCHOOL STUDENT

28 MEMBER AND OF THE MEMBER'S PARENT(S) OR LEGAL GUARDIAN(S) THAT

29 EXCEED \$100.00, INCLUDING THE NAME AND ADDRESS OF EACH PLACE OF

30 SALARIED EMPLOYMENT AND OF EACH BUSINESS ENTITY SOLELY OR

31 PARTIALLY OWNED AND FROM WHERE INCOME WAS EARNED. WHERE THE

1 SOURCE OF INCOME IS AN ATTORNEY-CLIENT OR A
2 PHYSICIAN/PSYCHIATRIST/PSYCHOLOGIST-PATIENT RELATIONSHIP, THE
3 NAMES OF INDIVIDUAL CLIENTS OR PATIENTS NEED NOT BE DISCLOSED.

4 (ii) A SCHEDULE OF EACH GIFT IN EXCESS OF \$50.00 IN VALUE (OR AN
5 AGGREGATE OF \$100.00 FROM ANY ONE PERSON) DIRECTLY OR INDIRECTLY
6 FROM A PERSON(S) WHO DOES BUSINESS WITH HOWARD COUNTY. THIS
7 SCHEDULE AS TO EACH SUCH GIFT, SHALL INCLUDE:

8 a) THE NATURE AND VALUE OF THE GIFT; AND

9 b) THE IDENTITY OF THE PERSON FROM WHOM, DIRECTLY OR INDIRECTLY,
10 THE GIFT WAS RECEIVED.

11 c) FOR PURPOSES OF THIS SUBSECTION, GIFT DOES NOT INCLUDE:

12 i) CEREMONIAL GIFTS OR AWARDS OF INSIGNIFICANT MONETARY
13 VALUE; OR

14 ii) UNSOLICITED GIFTS OF NOMINAL VALUE OR TRIVIAL ITEMS OF
15 INFORMATIONAL VALUE.

16 (iii) A LIST OF ANY PARENT(S) OR LEGAL GUARDIAN(S) EMPLOYED BY THE
17 COUNTY IN ANY CAPACITY.

18
19 **Section 2. And Be It Further Enacted by the County Council of Howard County,**
20 **Maryland, that subsection (c) of Section 22.205 “Financial Disclosure” of Subtitle 2**
21 **“Public Ethics” of Title 22 “General Provisions, Penalties and Rules of Interpretation” of**
22 **Howard County Code is amended to read as follows:**

23
24 (c) Contents of Statements of Financial Interest: The sworn statement required to be
25 filed by this subtitle shall be upon a form prescribed by the ethics commission. EXCEPT AS
26 PROVIDED IN SUBSECTION (B) OF THIS SECTION, [[It]] THE STATEMENT shall disclose the
27 following interests of the person making the statement for the calendar year for which the
28 required statement is filed:

29
30 **Section 3. And Be It Further Enacted by the County Council of Howard County,**
31 **Maryland, that subsections (b),(c),(d) and (e) of Section 22.205 “Financial Disclosure” of**

1 Subtitle 2 “Public Ethics” of Title 22 “General Provisions, Penalties and Rules of
2 Interpretation” of the Howard County Code be renumbered as (c), (d), (e), and (f).

3

4 **Section 2 4. And Be It Further Enacted** by the County Council of Howard County,
5 Maryland, that this Act shall become effective 61 days after its enactment.

6